

ORDINANCE 2015-14

AN ORDINANCE OF THE CITY OF TOPPENISH, WASHINGTON ADOPTING CHAPTER 10.26 TMC TO ESTABLISH A "COMPLETE STREETS" PROGRAM FOR THE PURPOSE OF PROVIDING SAFE ACCESS AND ACCOMMODATIONS TO ALL USERS INCLUDING BICYCLISTS, PEDESTRIANS, MOTORISTS AND PUBLIC TRANSPORTATION USERS

WHEREAS, the term "Complete Streets" describes a comprehensive, integrated transportation network with infrastructure and design that allows safe and convenient travel for all users, including pedestrians, bicyclists, motor vehicle drivers, transit users, emergency services providers, freight, and people of all ages and abilities, including children, youth, families, older adults, and individuals with disabilities, and

WHEREAS, the one-third of Americans that do not drive, disproportionately represented by older adults, low-income people, people with disabilities, and children would benefit from the equitable distribution of safe, alternative means of travel that will result from Complete Streets policies, and

WHEREAS, research demonstrates that adults and children who walk or bicycle have higher daily levels of physical activity, better cardiovascular fitness and overall health, and

WHEREAS, the occurrence and severity of pedestrian and bicyclist injuries could be decreased by implementing Complete Streets policies, and

WHEREAS, Toppenish's Comprehensive Plan – Transportation Element Goal 3 states "To recognize pedestrian movement as a basic means of circulation and to assure adequate accommodation of pedestrian and handicapped persons needs in all transportation policies and facilities", and

WHEREAS, Toppenish's Comprehensive Plan – Transportation Element Policy 1.8 states "The City shall encourage safely accommodating bicycles in its management and design of the city street network, including designating bicycle routes where appropriate", and

WHEREAS, in 2011, the Washington State Legislature passed the Complete Streets Bill (ESHB 1071), creating a complete streets grant program to encourage street designs that safely meet the needs of all users and also protect and preserve a community's environment and character, and

WHEREAS, adopting a Complete Streets ordinance will qualify Toppenish to apply for the State complete streets grant program,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TOPPENISH, WASHINGTON DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Title 10 of the Toppenish Municipal Code is hereby amended to add Chapter 10.26 Complete Streets Policy, which reads as follows:

Chapter 10.26

COMPLETE STREETS POLICY

10.26.010 Purpose.

City of Toppenish shall, to the maximum extent practicable, scope, plan, design, construct, operate and maintain transportation facilities for the safe accommodation of pedestrians, bicyclists, transit users, motorists, emergency responders, freight, and users of all ages and abilities in all new construction or reconstruction projects of public streets. Through ongoing operations and maintenance, the City of Toppenish shall identify cost-effective opportunities to include Complete Streets practices.

10.26.020 Definitions.

A. "Complete Street" means a road that is designed to be as safe and accessible as possible for drivers, bicyclists, transit vehicles and riders, freight, emergency service providers, and pedestrians of all ages and abilities. The Complete Streets policy focuses not just on changing individual roads, but on changing the decision-making process so that all users are routinely considered during the planning, designing, building, and operation of all roadways.

B. "Complete Streets Infrastructure" means design features that contribute to a safe, convenient, or comfortable travel experience for users, including but not limited to features such as: sidewalks; shared use paths; bicycle lanes; automobile lanes; paved shoulders; street trees and landscaping; planting strips; curbs; accessible curb ramps; bulb-outs; crosswalks; refuge islands; pedestrian and traffic signals, including countdown and accessible signals; signage; street furniture; bicycle parking facilities; traffic calming devices such as rotary circles, traffic bumps, and surface treatments such as paving blocks, textured asphalt, and concrete; narrow vehicle lanes; and raised medians.

C. "Street" means any public right of way, including arterials, connectors, alleys, ways, lanes, and roadways by any other designation, as well as bridges, tunnels, and any other portions of the transportation network, that is open for use by the general traveling public.

D. "Street Project" means the construction, reconstruction, retrofit, maintenance, alteration, or repair of any street, and includes the planning, design, approval, and implementation processes.

E. "Users" means individuals that use streets, including pedestrians, bicyclists, motor vehicle drivers, and public transportation riders and drivers.

10.26.030 Complete Streets Infrastructure.

As feasible, Toppenish shall incorporate Complete Streets Infrastructure into existing public streets to create a comprehensive, integrated, connected transportation network that balances access, mobility, health, economy, and safety needs of pedestrians, bicyclists, transit users, motorists, emergency responders, freight and users of all ages and abilities.

10.26.040 Implementation of Complete Streets Principles.

Toppenish will incorporate complete streets principals into the City's Comprehensive Plan, public works standards, parks and recreation comprehensive plan, traffic circulation plan, and other plans, manuals, rules, regulations, and programs as feasible and appropriate.

10.26.050 Freight/Truck Routes Consideration.

Because freight is important to the basic economy of the City and has unique right-of-way needs to support that role, freight will be the major priority on streets classified as truck routes. Complete Street improvements that are consistent with freight mobility but also support other modes and user needs shall be considered for truck routes.

10.26.60 Exceptions.

Facilities for pedestrians, bicyclists, transit users and/or people of all abilities are not required to be provided in new construction or reconstruction Street Projects when:

- A. A documented absence of current or future need exists, as identified in City plans and future travel demand models; or
- B. Non-motorized uses are prohibited by law; or
- C. Routine maintenance and repair of the transportation network is performed that does not change the roadway geometry or operations; or
- D. The cost exceeds more than 20% of the total project cost for new construction; or
- E. The Public Works Director issues a documented exception concluding that application of complete streets principles is unnecessary or inappropriate because it would be contrary to public safety; or
- F. Where there are significant adverse environmental impacts to streams, wetlands, steep slopes, or other critical areas; or
- G. Where the establishment would be contrary to the Transportation Element of the Comprehensive Plan; or
- H. Where their inclusion in a small, isolated project would create a very short section of improvements with problematic transitions on either end or that are in an isolated area unlikely to be followed by similar improvements at either end, resulting in little progress on implementing Complete Streets networks.

10.26.070 Best Practice Criteria.

Mayor in consultation with City Administrator and Public Works Director shall develop policies, design criteria, standards and guidelines based upon recognized best practices in street design, construction and operations including but not limited to the latest editions of American Association of State Transportation Officials (AASHTO), Institute of Transportation Engineers (ITE) and National Association of City Transportation Officials (NACTO) guidelines and standards, while reflecting the context and character of the surrounding built and natural environment and enhancing the appearance of such.

Section 2. Statutory construction and severability:

- a) This ordinance shall be construed so as not to conflict with applicable federal or state laws, rules, or regulations. Nothing in this ordinance authorizes any City agency to impose any duties or obligations in conflict with limitations on municipal authority established by federal or state law at the time such agency action is taken.
- b) In the event that a court or agency or competent jurisdiction holds that a federal or state law, rule, or regulation invalidates any clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances, it is the intent of the ordinance that the court or agency sever such clause, sentence, paragraph, or sentence so that the remainder of this ordinance remains in effect.

Section 3. Effective date: This ordinance shall take effect thirty (30) days from the date of publication.

THIS ORDINANCE PASSED AND ADOPTED by the City Council of the City of Toppenish, Washington, at a regular open public meeting on the 28th day of September, 2015.



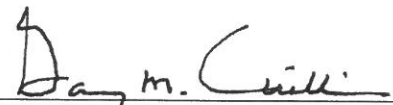
LOREN O. BELTON, Mayor

ATTEST:



LINDA B. MEAD, CMC, Finance Director/City Clerk

APPROVED AS TO FORM:



GARY M. CUILIER, City Attorney